



## LODI CITY COUNCIL

Carnegie Forum  
305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: June 2, 2010

Time: Closed Session 6:00 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

**Randi Johl, City Clerk**  
**Telephone: (209) 333-6702**

6:55 p.m. Invocation/Call to Civic Responsibility. Invocations may be offered by any of the various religious and non-religious organizations within and around the City of Lodi. Invocations are voluntary offerings of private citizens, to and for the benefit of the Council. The views or beliefs expressed by the Invocation Speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the beliefs or views of any speaker.

***NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.*

### **C-1 Call to Order / Roll Call**

### **C-2 Announcement of Closed Session**

- a) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6
- b) Threatened Litigation: Government Code §54956.9(b); One Application; Potential Suit by Frederick Ohlhauser Against City of Lodi; WCAB Claim No. 2007058946 (DOI: 02/08/07)
- c) Review of Council Appointee – Interim City Manager to Include Employment, Appointment, and Evaluation of Performance (Government Code 54957)

### **C-3 Adjourn to Closed Session**

**NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.**

### **C-4 Return to Open Session / Disclosure of Action**

#### **A. Call to Order / Roll call**

#### **B. Pledge of Allegiance**

#### **C. Presentations**

- C-1 Presentation of Certificates of Appreciation to Retiring Members of the Greater Lodi Area Youth Commission and Certificates of Recognition to Graduates of the Teen Lead Program (COM)

#### **D. Consent Calendar (Reading; Comments by the Public; Council Action)**

- D-1 Receive Register of Claims in the Amount of \$2,224,628.51 (FIN)
- D-2 Approve Minutes (CLK)
  - a) May 13, 2010 (Special Joint Meeting with the Lodi Arts Commission)
  - b) May 18, 2010 (Shirtsleeve Session)
- D-3 Approve Plans and Specifications and Authorize Advertisement for Bids for Lockeford Street Railroad Crossing Removal Project (PW)

- PULLED**
- Res. D-4 Approve Plans and Specifications and Authorize Advertisement for Bids for Water Well No. 27 On-Site Improvements and Adopt Resolution Authorizing the City Manager to Execute an Incidental Take Minimization Measures for the Project (PW)
- Res. **D-5** Adopt Resolution Authorizing the City Manager to Execute Purchase Order with West Coast Arborists, Inc., for Removal and Replacement of 39 Raywood Ash Trees on Lower Sacramento Road between Elm Street and Tejon Street (\$17,275) (PW)
- Res. D-6 Adopt Resolution Approving the Purchase of Padmount Transformers from Pacific Utilities, of Pleasant Hill (\$58,361.77) (EUD)
- Res. D-7 Adopt Resolution Approving the Purchase of Polemount Transformers from HEES Enterprises, Inc., of Astoria, OR (\$17,235.80) (EUD)
- Res. D-8 Adopt Resolution Approving Termination of the Northern California Power Agency Natural Gas Procurement Program Third Phase Agreement and Authorizing the City Manager to Execute (EUD)
- Res. D-9 Adopt Resolution Authorizing the City Manager to Execute Master Professional Services Agreement with Nolte Associates, Inc., of Manteca; Approving Task Order No. 1 to Provide Initial Engineering/Financial Services to Update Impact Mitigation Fee Program (\$46,500); and Appropriating Funds (\$55,000) (PW)
- D-10 Adopt the Following Resolutions Pertaining to the November 2, 2010, General Municipal Election (CLK):
- Res. a) Resolution Calling and Giving Notice of the Holding of a General Municipal Election
- Res. b) Resolution Approving Entering into a Contract with the County of San Joaquin for the County Registrar of Voters to Provide Certain Services
- Res. c) Resolution Regarding Impartial Analyses, Arguments, and Rebuttal Arguments for Any Measure(s) that May Qualify to be Placed on the Ballot
- Res. d) Resolution Adopting Regulations Pertaining to the Candidates' Statements
- Res. D-11 Adopt Resolution Initiating Proceedings for the Levy and Collection of Assessments,  
Res. Resolution Approving the Annual Report, and Resolution Declaring Intention to Levy and  
Res. Collect Assessments for the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for Fiscal Year 2010/11; and Set Public Hearing for July 7, 2010 (PW)

**E. Comments by the Public on Non-Agenda Items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**F. Comments by the City Council Members on Non-Agenda Items**

**G. Comments by the City Manager on Non-Agenda Items**

**H. Public Hearings**

- Res. H-1 Public Hearing to Consider the Appeal of Noe Juarez Luna Regarding the Decision of the Planning Commission to Deny a Use Permit for a Pool Hall/Nightclub at 651 North Cherokee Lane, Suite E (CD)

**NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31**

**I. Communications – None**

**J. Regular Calendar**

- Res. J-1 Receive Budget Presentation, Invite Public Comments, and Adopt Resolutions Approving the  
Res. City of Lodi Financial Plan and Budget for the Fiscal Year Beginning July 1, 2010 and Ending  
Res. June 30, 2011, Approving the Fiscal Year 2010/11 Appropriation Spending Limit, Amending the  
Fiscal Year 2009/10 Financial Plan and Budget, and Approving a General Fund Reserve Policy  
(CM)
- J-2 Authorize Staff to Modify Labor Unit Memorandums of Understanding According to Signed  
Tentative Agreements (CM)
- Res. J-3 Adopt Resolution Approving Side Letter Amending the 2008-2013 Memorandum of  
Understanding Between the City of Lodi and the International Brotherhood of Electrical  
Workers, Local 1245 (CM)
- Ord. J-4 Introduce Ordinance Amending Lodi Municipal Code Title 15, Chapter 15.64, "Development  
(Introduce) Impact Mitigation Fees," as it Relates to the Timing of the Collection of Fees During the Period  
of July 1, 2010 Through June 30, 2013 (CD)

**K. Ordinances**

- Ord. K-1 Adopt Ordinance No. 1830 Entitled, "An Ordinance of the Lodi City Council Amending Lodi  
(Adopt) Municipal Code Chapter 13.20, 'Electrical Service,' by Adding a New Section 13.20.320,  
'Schedule NST – New Sales Tax Rate'" (CLK)

**L. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Randi Johl  
City Clerk